



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examination
3-26-02
#7/AMOT
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Applicant: Walters Jr.
Serial No.: 09/579,050
For: EASY OPEN CONTAINER CLOSURE
Filed: May 26, 2000
Examiner: N. Eloshway
Group Art Unit: 3727

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Attorney Docket No.: 359.6559USU

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Commissioner for Patents
Washington, D.C. 20231

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AMENDMENT

Dear Sir:

In response to the Office Action mailed December 3, 2001, please amend the above-referenced application as follows:

IN THE CLAIMS

Please amend claim 1 as follows:

1. (Twice amended) An easy open, reusable closure apparatus for a container having a terminal end with an orifice and a radially outwardly extending bead having an outer surface and a radially outwardly extending undercut, the closure apparatus comprising:

a cap portion having a top, a peripherally depending side wall comprising an inner surface that conforms to said bead outer surface and a radially inwardly extending peripheral lip that engages said bead undercut sealably securing said closure to said container, wherein a material housed by said container is secured in said container by said cap portion; and

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B¹ a handle depending from said cap portion.

Please amend claim 3 as follows:

B² 3. (Amended) The easy open closure apparatus in claim 1, wherein said cap portion further comprises a peripherally depending skirt, wherein said skirt communicates and depends from said side wall lip and extends radially downward away from said container.

Please amend claim 5 as follows:

B³ 5. (Amended) The easy open closure apparatus in claim 4, wherein said handle upper portion comprises an inner surface and an outer surface.

Please amend claim 6 as follows:

B⁴ 6. (Twice amended) The easy open closure apparatus in claim 5, wherein said inner surface abuts an outer surface of said container over an extended length wherein said inner surface is substantially vertical relative to the plane of said top.

Please amend claim 8 as follows:

8. (Amended) The easy open closure apparatus in claim 4, wherein said handle lower portion radiates outward from said container such that a gap is formed there between.

B⁵ Please amend claim 9 as follows:

Sub. D³ 9. (Amended) The easy open closure apparatus in claim 4, wherein said fulcrum portion abuts an outer surface of said container such that upon application of pressure to said lower handle portion outer surface, the side wall lip is lever-action disengaged from the bead undercut.

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Please amend claim 11 as follows:

B⁶ 11. (Amended) The easy open closure apparatus in claim 10, wherein said material allows said cap portion to temporarily deform, allowing said cap portion to disengage said bead and be re-secured to said bead, said cap portion always returning to its original form.

Please amend claim 13 as follows:

Sub C⁷ 13. (Twice amended) A method of opening a container using the easy open, reusable closure apparatus for a container having a terminal end with an orifice and a radially outwardly extending bead having an outer surface and a radially outwardly extending undercut, the closure apparatus comprising:

B⁷ a cap portion having a top, a peripherally depending side wall having a radially inwardly extending peripheral lip that engages said bead undercut sealably securing said closure to said container, wherein a material housed by said container is secured in said container by said cap portion; and

a handle depending from said cap portion, said handle further comprising an upper portion, a lower portion, and a fulcrum portion there between said upper and lower portions; the method comprising the steps of:

holding said container and the lower handle portion of said handle with at least one hand; and

depressing said lower handle portion toward said container until said peripheral lip disengages said bead undercut.